

REMARKS

Claims 40-44 and 69-74 are pending in the application.

Restriction/Election Requirement

The Examiner has required the Applicants to elect a single species under 35 U.S.C. § 121. See Office Action of October 29, 2001 at pages 2 to 4.

Applicants respectfully traverse this election requirement. Claims 40 and 71 are directed to methods of enhancing a polymerase reaction. Within the scopes of claims 40 and 71 are embodiments wherein one step of the method comprises adding all of the components subject to the election requirement. Removing all but one of the enumerated components would preclude claiming an invention wherein all the components were included. Thus these claims are generic.

In order to be fully responsive to the Office Action, Applicants elect a dUTPase activity.

However, the Applicants respectfully remind the Examiner that, in the event that the elected species is found allowable, the Examiner is required to examine the claims with respect to the non-elected species. See MPEP §809.02(c)(B)(1).

Sequence Listing

The Examiner stated that the application fails to comply with the requirements of 37 CFR §§ 1.821-1.825 because no sequence listing has been submitted.

Applicants enclose: (1) a computer readable form (CRF) copy of the Sequence Listing, and (2) a paper copy of the Sequence Listing. I hereby state that the information contained in the CRF of the Sequence Listing is identical to the paper copy of the Sequence Listing (32 pages), and that this Sequence Listing adds no new matter.


Applicants request entry of the Sequence Listing into the specification.

If there is any fee due in connection with the filing of this Response, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: April 29, 2002

By: 
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